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Attorneys for Creditor, Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not in its individual capacity but solely in its capacity as Owner Trustee of Matawin Ventures Trust Series 2017-2

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

In Re	:	Chapter 13
Timothy D. Kinder aka Timmy D. Kinder	:	
and Linda L. Kinder,	:	
	:	BK. NO. 16-27225-ABA
Debtors.	:	
	:	NOTICE OF MOTION TO VACATE
	:	AUTOMATIC STAY
	:	
	:	HEARING DATE: 3/5/2019

TO: DEBTORS, ATTORNEY FOR DEBTORS, CHAPTER 13 TRUSTEE AND ALL OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that on March 5, 2019 at 10:00 a.m., or as soon as the matter may be heard, the undersigned, attorneys for Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not in its individual capacity but solely in its capacity as Owner Trustee of Matawin Ventures Trust Series 2017-2, will move before the Honorable Andrew B. Altenburg, Jr. of the United States Bankruptcy Court, Mitchell Cohen Federal Court House, 1 John F. Gerry Plaza, 4th & Cooper Streets, 4th Floor, Camden, New Jersey for the entry of an Order vacating the Automatic Stay with respect to the Debtors' property located at **13 Lakeside Drive, Bridgeton, NJ 08302** and allowing Creditor to continue or institute a foreclosure action, by reason of the failure of Debtors to make her regular monthly payments outside of the Chapter 13 Plan.

Creditor further requests for an Order that, in addition to foreclosure, permits activity necessary to obtain possession of said collateral; therefore, Kondaur Capital Corporation is permitted to engage in loss mitigation activity, including short payoff, short sale and the obtaining of a deed-in-lieu of foreclosure including authorization to negotiate inferior liens. Kondaur Capital Corporation is further permitted to send information regarding these loss mitigation options directly to the debtors.

For an Order binding Debtor in any conversion of the above-referenced Bankruptcy proceeding and in any subsequently filed bankruptcy proceeding of any nature whatsoever, relative to this Creditor's interest in the subject Property, and prohibiting the effect of any further Automatic Stays against Creditor herein.

Dated: 2/8/2019

By /s/ Warren S. Jones, Jr.  
WARREN S. JONES, JR., ESQUIRE  
Retained Counsel